

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DR. TRUST JUTICE TRUTH,
 Plaintiff,

v.

ASHLEY & ASHLEY HOMESTORE –
 SUMMERLIN, NV

Defendant.

Case No. 2:22-cv-02024-GMN-NJK

REPORT AND RECOMMENDATION

On December 5, 2022, Plaintiff filed an application to proceed *in forma pauperis* and a complaint to attempt to initiate this action. Docket No. 1. The Court determined that Plaintiff did not qualify for *in forma pauperis* status and, therefore, denied Plaintiff's application. Docket Nos. 3 (report and recommendation); 4 (order adopting report and recommendation). Plaintiff was ordered to pay this case's filing fee by April 20, 2023. Docket No. 5. The Court warned that, "[f]ailure to comply with this order will result in a recommendation to the District Judge that this case be dismissed." *Id.* Notwithstanding that warning, Plaintiff has not paid the filing fee. *See* Docket.

This case cannot proceed without Plaintiff paying the filing fee. Having refused to do so in this case, Plaintiff's complaint is subject to dismissal. *E.g., Desai v. Biden*, 2021 WL 38169, at * 1 (E.D. Cal. Jan. 5, 2021), *adopted*, 2021 WL 276236 (E.D. Cal. Jan 27, 2021). Moreover, Plaintiff's refusal to comply with the Court's order has interfered with the Court's ability to hear this case, delayed litigation, disrupted the Court's timely management of its docket, wasted judicial resources, and threatened the integrity of the Court's orders and the orderly administration of justice. Sanctions less drastic than dismissal are unavailable because Plaintiff has refused to comply with the order of this Court notwithstanding the warning that case-dispositive sanctions may be imposed.

1 Therefore, the undersigned **RECOMMENDS** that this case be **DISMISSED** without
2 prejudice.

3 Dated: April 28, 2023

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5 Nancy J. Koppe
6 United States Magistrate Judge
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